

Appl. No. : 09/974,725
Filed : October 9, 2001

REMARKS

The foregoing amendments and the following remarks are responsive to the August 8, 2003 Office Action. Claims 1-35, 37-41, and 49 remain as originally filed, and Claims 36, 42-48, and 50 are cancelled. Thus, Claims 1-35, 37-41, and 49 are presented for further consideration. Please enter the amendments and reconsider the claims in view of the following remarks.

Comments on Amendments to the Specification

As described herein, Applicants have amended the paragraph beginning on page 5, line 2 to provide the U.S. Patent number corresponding to the U.S. Patent Application referred to therein. Applicants have also amended the paragraph beginning on page 5, line 12 to correct a typographical error in the chemical equation by replacing the character "II" with an arrow. Applicants submit that neither of these amendments introduces new matter into the present application.

Response to Objection to the Drawings

In the August 8, 2003 Office Action, the Examiner objects to Figure 3F for failing to comply with 37 C.F.R. § 1.84(p)(4) by using the reference character "24" to designate both a tube or hose and bubbling nitrogen vapor. Applicants submit that the reference character "24" of Figure 3F was intended to label both the nitrogen gas flowing through the tube from reservoir 25, and the nitrogen vapor in bubbles within the first solution 10. To avoid confusion, Applicants are submitting herewith nine Replacement Sheets in which the reference character "24" is removed from the nitrogen vapor flowing through the tube of Figure 3F. Applicants submit that this amendment to Figure 3F does not add new matter to the present application. Applicants respectfully request that the Examiner withdraw the objection to Figure 3F.

Response to Provisional Rejection of Claims 1-41, 49, and 50 Under Obviousness-Type Double Patenting

In the August 8, 2003 Office Action, the Examiner provisionally rejects Claims 1-41, 49, and 50 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-26 of copending application Serial No. 10/117,921. Applicants are submitting herewith a Terminal Disclaimer to overcome this rejection.

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Response to Rejection of Claims 42-44 and 46-48 Under 35 U.S.C. § 102(b)

In the August 8, 2003 Office Action, the Examiner rejects Claims 42-44 and 46-48 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,092,163 to Johnson, particularly Examples 1 and 2.

As described herein, Applicants have cancelled Claims 42-44 and 46-48 without prejudice, reserving the right to pursue allowance of these claims in a continuation application. Applicants respectfully request that the Examiner pass the remaining pending claims to allowance.

Response to Rejection of Claims 42-48 Under 35 U.S.C. § 102(b)

In the August 8, 2003 Office Action, the Examiner rejects Claims 42-48 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,794,002 to Haensel et al., particularly Example I.

As described herein, Applicants have cancelled Claims 42-48 without prejudice, reserving the right to pursue allowance of these claims in a continuation application. Applicants respectfully request that the Examiner pass the remaining pending claims to allowance.

Response to Rejection of Claims 36 and 50 Under 35 U.S.C. § 102(b)

In the August 8, 2003 Office Action, the Examiner rejects Claims 36 and 50 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,104,363 to Vozka.

As described herein, Applicants have cancelled Claims 36 and 50 without prejudice, reserving the right to pursue allowance of these claims in a continuation application. Applicants respectfully request that the Examiner pass the remaining pending claims to allowance.

Response to Rejection of Claims 36 and 50 Under 35 U.S.C. § 103(a)

In the August 8, 2003 Office Action, the Examiner rejects Claims 36 and 50 under 35 U.S.C. § 103(a) as being obvious over Vozka.

As described herein, Applicants have cancelled Claims 36 and 50 without prejudice, reserving the right to pursue allowance of these claims in a continuation application. Applicants respectfully request that the Examiner pass the remaining pending claims to allowance.

Response to Rejection of Claim 50 under 35 U.S.C. § 112, First Paragraph

In the August 8, 2003 Office Action, the Examiner rejects Claim 50 under 35 U.S.C. § 112, first paragraph, stating that the specification, while being enabling for metal oxide

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monoliths, does not reasonably provide enablement for organic substance monoliths, such as gelatin, cellulose, etc.

As described herein, Applicants have cancelled Claim 50 without prejudice, reserving the right to pursue allowance of these claims in a continuation application. Applicants respectfully request that the Examiner pass the remaining pending claims to allowance.

Summary

For the foregoing reasons, Applicants submit that Claims 1-35, 37-41, and 49 are in condition for allowance, and Applicants respectfully request such action.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

Dated: 11/10/03

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